

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 N. 5TH STREET
KANSAS CITY, KANSAS 66101

03 MAR -3 PM 3:59

ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF)
)
QUALITY FARM SUPPLY, INC.) Docket No. FIFRA-07-2003-0026
)
Respondent) CONSENT AGREEMENT AND
) FINAL ORDER
)

PRELIMINARY STATEMENT

This proceeding for the assessment of a civil penalty was initiated on or about December 2, 2002, pursuant to Section 14 of the Federal Insecticide, Fungicide, and Rodenticide Act (hereinafter called FIFRA), 7 U.S.C. § 136l, when the United States Environmental Protection Agency (hereinafter referred to as "Complainant" or "EPA") issued a "Complaint and Notice of Opportunity for Hearing" to Quality Farm Supply (hereinafter referred to as "Respondent").

The Complaint charged Respondent with violating § 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L).

Subsequently, Complainant and Respondent entered into negotiations in an attempt to resolve the Complaint. The Consent Agreement and Final Order set forth herein below is the result of these negotiations and represents settlement of this Complaint.

CONSENT AGREEMENT

It is hereby agreed, and accepted by Respondent that:

1. This Consent Agreement and Final Order is being entered into by the parties in full settlement of, and release from all FIFRA civil penalties that might have attached as a result of the allegations in the Complaint. Respondent has read the Consent Agreement, finds it

reasonable and consents to the issuance and its terms and explicitly waives its right to request a hearing on the Complaint, this Agreement, or the attached Final Order.

2. Respondent admits the jurisdictional allegations of the Complaint and admits the facts stipulated in this Consent Agreement.

3. Respondent neither admits nor denies the violations of FIFRA as set forth in the Complaint. Respondent has had no production for the reporting period, and requested the termination of its establishment registration within 20 calendar days after receipt of the Complaint.

4. Respondent certifies by signing this Consent Agreement and Final Order that to its knowledge it is presently in compliance with FIFRA, 7 U.S.C. § 136 et. seq., and all regulations promulgated thereunder.

5. Nothing in this Consent Agreement shall be construed as a release from, or to insulate Respondent from, any other action under any law and/or regulation administered by the U.S. Environmental Protection Agency.

6. Each party shall bear its own costs and attorneys' fees in the action resolved by this Consent Agreement and Final Order.

7. Each signatory of this Agreement certifies that he or she is fully authorized to enter into the terms of this Consent Agreement and Final Order.

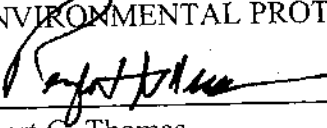
8. Respondent consents to the issuance of the Final Order hereinafter recited.

FINAL ORDER

Pursuant to § 14 of FIFRA, as amended, 7 U.S.C. § 136l, and upon information contained in this Consent Agreement of the parties herein, IT IS HEREBY ORDERED THAT:

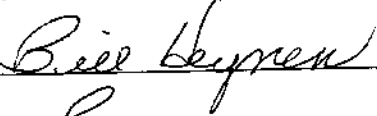
Respondent Shall comply with the terms and conditions set forth in the Consent Agreement.

COMPLAINANT:
U.S. ENVIRONMENTAL PROTECTION AGENCY

By: 
Rupert G. Thomas
Attorney
Office of Regional Counsel

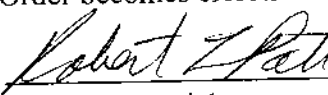
Date: 3-3-03

RESPONDENT:
QUALITY FARM SUPPLY, INC.

By: 
Title: Pres.

Date: 2-24-03

IT IS SO ORDERED. This Order becomes effective immediately.


Robert L. Patrick
Regional Judicial Officer
Region VII

Date: March 3, 2003

IN THE MATTER OF Quality Farm Supply, Inc., Respondent
Docket No. FIFRA-7-2003-0026

CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement and Final Order was sent this day in the following manner to the addressees:

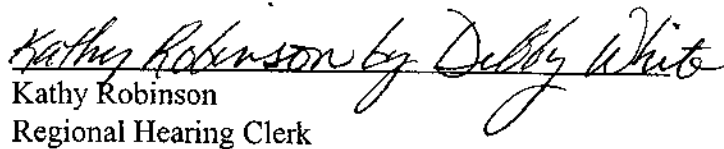
Copy hand delivered to
Attorney for Complainant:

Rupert Thomas
Assistant Regional Counsel
Region VII
United States Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Copy by Certified Mail,
Return Receipt Requested, to:

William G. Heynen
Registered Agent for
Quality Farm Supply, Inc.
601 Colfax
Boyden, IA 51234

Dated: 3/3/2


Kathy Robinson
Regional Hearing Clerk